



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/167,286	10/07/98	ADEDEJI	mk A CN-8764

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IM22/1020

EXAMINER

HOKE, V

ART UNIT	PAPER NUMBER
1714	11

DATE MAILED: 10/20/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Advisory Action

Application No.
09/167,286

Applicant(s)

ADEDEJI ET AL

Examiner

VERONICA P. HOKE

Group Art Unit

1714



THE PERIOD FOR RESPONSE: [check only a) or b)]

- a) ☒ expires THREE months from the mailing date of the final rejection.
- b) ☐ expires either three months from the mailing date of the final rejection, or on the mailing date of this Advisory Action, whichever is later. In no event, however, will the statutory period for the response expire later than six months from the date of the final rejection.

Any extension of time must be obtained by filing a petition under 37 CFR 1.136(a), the proposed response and the appropriate fee. The date on which the response, the petition, and the fee have been filed is the date of the response and also the date for the purposes of determining the period of extension and the corresponding amount of the fee. Any extension fee pursuant to 37 CFR 1.17 will be calculated from the date of the originally set shortened statutory period for response or as set forth in b) above.

- ☐ Appellant's Brief is due two months from the date of the Notice of Appeal filed on _____ (or within any period for response set forth above, whichever is later). See 37 CFR 1.191(d) and 37 CFR 1.192(a).

Applicant's response to the final rejection, filed on Oct 3, 2000 has been considered with the following effect, but is NOT deemed to place the application in condition for allowance:

☒ The proposed amendment(s):

☐ will be entered upon filing of a Notice of Appeal and an Appeal Brief.

☒ will not be entered because:

☐ they raise new issues that would require further consideration and/or search. (See note below).

☐ they raise the issue of new matter. (See note below).

☒ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal.

☐ they present additional claims without cancelling a corresponding number of finally rejected claims.

NOTE: _____

- ☐ Applicant's response has overcome the following rejection(s):

- ☐ Newly proposed or amended claims _____ would be allowable if submitted in a separate, timely filed amendment cancelling the non-allowable claims.

- ☒ The affidavit, exhibit or request for reconsideration has been considered but does NOT place the application in condition for allowance because:

See attachment

- ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.

- ☒ For purposes of Appeal, the status of the claims is as follows (see attached written explanation, if any):

Claims allowed: none

Claims objected to: none

Claims rejected: 1-16

- ☐ The proposed drawing correction filed on _____ ☐ has ☐ has not been approved by the Examiner.

- ☐ Note the attached Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

- ☐ Other

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112 Rejection:

Proposed claims are indefinite because generic claim would require polyphenylene ether in all instances in addition to the same resin in addition to unidentified substances in the form of "blends" and yet additional resins in the form of either 1) polycarbonate and polycarbonate blended with other unidentified substances or 2) polyetherimide or 3) polystyrene.

Claim 2 on the other hand relates that polyphenylene ether blended with more polyphenylene ether blended yet with unidentified substances is not intended. Claim 5 relates that generic claim's requirement of polyphenylene ether is not required since the blend may comprise as plastics only polycarbonate blended with polyetherimide.

Prior Art Rejections:

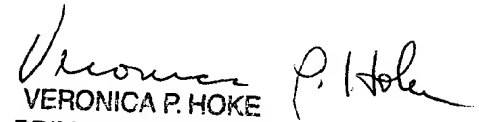
Even if the proposed amendment had been entered, the rejections over 1) Alexander et al, Haaf and Fowler (any) would have been maintained as well as the rejection over 2) Alexander or Fowler (any) taken with Weinrotter and Serafina, additionally with Haaf since all claims now require a flame retardant.

Contrary to applicants traversal Alexander in col.1, clearly points out the need to provide a flame retardant plastic pallet. Given this instruction (flame retardancy properties and pallet utility) no plausible basis is seen for not expecting the pallet to conform to industrial standards for pallets.

vph

October 18,2000

703 308-2444


VERONICA P. HOKE
PRIMARY EXAMINER